GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Transport Department - Sri Mekala Babu Rao, formerly Transport Head Constable, Transport wing Check Post, ICP, BV Palem, SPSR Nellore District - Departmental Proceedings under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 - Articles of Charges - Issued.

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TRANSPORT, ROADS & BUILDINGS (Vig-Tr[2]) DEPARTMENT

G.O.RT.No. 8 Dated: 08-01-2019

Read :--

G.O.Ms.No.5 , Transport, Roads & Buildings (Vig-Tr[2]) Deptt., dated:08.01.2019.

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ORDER:-

In pursuance of the sanction accorded by the Government under Sub-clause (i) of Clause (b) of sub-rule (2) of Rule 9 of the Andhra Pradesh Revised Pension Rules, 1980 for instituting departmental proceedings against Sri Mekala Babu Rao, formerly Transport Head Constable, Transport wing Check Post, ICP, BV Palem, SPSR Nellore District vide G.O.Ms.No.5, Transport, Roads & Buildings (Vig-Tr[2]) Deptt., dated:08.01.2019, it is proposed to hold an inquiry against the said Sri Mekala Babu Rao, Transport Head Constable (Retd.), in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure.I). A statement of imputations of misconduct or misbehaviour in support of article of charge is enclosed (Annexure.II). A list of witnesses by whom and a list of documents by which, the articles of charge are proposed to be sustained are also enclosed (Annexure- III and IV).

3. Sri Mekala Babu Rao, Transport Head Constable (Retd.) is directed to submit, within 15 days of the receipt of this order, a written statement of his defence and also to state whether he desires to be heard in person.

4. Sri Mekala Babu Rao, Transport Head Constable (Retd.) is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore specifically admit or deny article of charge.

5. Sri Mekala Babu Rao, Transport Head Constable (Retd.) is further informed that if he does not submit his written statement of defence on or before the period specified in para-3 above, or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (CC&A) Rules, 1991, or the orders/directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him ex parte.

6. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri Mekala Babu Rao, Transport Head Constable (Retd.) through the Transport Commissioner, A.P.,Vijayawada

The Transport Commissioner, Andhra Pradesh, Vijayawada
Copy to:
The Director General, Anti-Corruption Bureau, A.P., Vijayawada
The Secretary, Andhra Pradesh Vigilance Commission, A.P.Secretariat, Velagapudi.
SF/SC

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI MEKALA BABU RAO. S/O GURAVAIAH, TRANSPORT HEAD CONSTABLE. TRANSPORT WING CHECK POST, ICP, BV PALEM, SPSR NELLORE DISTRICT (NOW RETIRED).

That Sri Mekala Babu Rao S/o Guravaiah, Transport Head Constable is native of Dondapadu Village, Mangalagiri Mandal, Guntur District and he Joined as Transport Constable on 18-05-1985 in O/o DTC, Guntur and promoted as Head Constable on 5-07-2011 and presently working at Transport Wing Check Post, ICP, BV Palem from 01.03.2015 to 25.03.2015 (i.e. date of surprise check). While he was working as Transport Head Constable at Transport Wing Check Post, ICP, B.V.Palem village, Tada Mandal, SPSR Nellore District on 24-25/03-2015, has committed grave mis-conduct in as much as:

CHARGE:-That Sri Mekala Babu Rao S/o Guravaiah, Transport Head Constable (now Retired), who was working as Transport Head Constable at the Transport Wing Check Post, ICP, Bheemunivaripalem village, Tada Mandal of SPSR Nellore District, while working as thus exhibited gross negligence of duty by collecting mamools ranging from Rs.50/- to Rs.500/- from the crew of vehicles plying through the check post and collected an unaccounted amount of Rs.48,970-00 on 24-03-2015 from 23-20 hrs to 03-20 hours on 25-03-2015.

Thus, Sri Mekala Babu Rao S/o Guravaiah, Transport Head Constable by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3(1) (2) of APCS (Conduct) Rules, 1964 r/w Rule 9 of A.P Revised Pension Rules, 1980 as the Government Servant retired from Service on 30-6-2016.

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ANNEXURE-II

STATEMENT OF IMPUTATION OF MISCONDUCT IN SUPPORT OF ARTICLES OF CHARGES FRAMED AGAINST SRI MEKALA BABU RAO S/O GURAVAIAH, TRANSPORT HEAD CONSTABLE, TRANSPORT WING CHECK POST, ICP, BV PALEM, SPSR NELLORE DISTRICT

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That Sri Mekala Babu Rao S/o Guravaiah, Transport Head Constable is native of Dondapadu Village, Mangalagiri Mandal, Guntur District. His date of birth is 15-06-1956 and he entered in to Govt. service as Transport Constable on 18-05-1985 in the DTC, Guntur. His basic pay is Rs.20,110/- and scale of pay is Rs.9,200 - 27,000-00. He was retired from service on 30-06-2016. He is here-in-after referred as Retired Government Servant.

CHARGE : That Sri Mekala Babu Rao S/o Guravaiah, Transport Head Constable (now Retired), who was working as Transport Head Constable at the Transport Wing Check Post, ICP, Bheemunivaripalem village, Tada Mandal of SPSR Nellore District, while working as thus exhibited gross negligence of duty by collecting mamools ranging from Rs.50/- to Rs.500/- from the crew of vehicles plying through the check post and collected an unaccounted amount of Rs.48,970-00 on 24-03-2015 from 23-20 hrs to 03-20 hours on 25-03-2015.

IMPUTATIONS:-

On credible information that the officers and staff of integrated check post, B.V Palem, Tada Mandal, SPSR Nellore District are indulging in corrupt practices and collecting mamools from the crew of vehicles plying through ICP, B.V Palem, a surprise check was conducted over transport wing, Incoming and outgoing commercial tax wings of ICP, B.V Palem on 24-03-2015 from 23-15 hrs. to 07-00 hours on 25-03-2015 with 3 teams headed by the DSP, ACB, Nellore Range, Nellore in the presence of mediators. The surprise check revealed the following irregularities and violations. The Transport Wing Officials collected the amount of Rs.6,900-00 found available on the table where the attender made stamping at transport wing check post for free passage of vehicles without putting any obstacles. The DSP asked the two AMVIs, Transport Head Constable and Attender(Office Subordinate) about the allowing the amounts from the crew of the lorries/vans. The AMVIs, Head Constable and Attender did not speak any thing and kept silent, and failed to give proper explanation.

During the Course of Surprise Check crew of the vehicles plying through the Transport Wing check post, visiting the Transport Wing check post with the records of the vehicles in one hand and cash on another hand and voluntarily placing the amounts on paying the amounts to the stool located in the northern side open room of the Check Post, where stamp pad and seal of transport wing was kept and they themselves stamping on their records and keeping the cash on the stool and leaving the place. On observation of the same it revealed that the crew of the vehicles are paying the amounts ranging from Rs.50-00 to Rs.500-00 according to the load variations, type of vehicles and purpose of stamping. As per the instructions of DSP, Mediator No.2 took the amount so kept in the counters from 24-03-2015 at 11.20PM to 03.20 AM on 25.03.2015 and on counting it arrives at Rs. 42,070/-. Thus total amount seized from the ICP of Transport Wing Check Post is Rs.48,970-00 (42,070-00+6,900-00) At random crew of the vehicles who paid mamools to the officials of Transport Wing check post were secured, examined and recorded their statements.

When Charged Officer Sri Mekala Babu Rao confronted the version of the crew of the vehicles who paid mamools and when the DSP asked about the accountability of the unaccounted amount of Rs.48,970-00 he kept silent and did not say anything. During the course of his explanation he failed to produce any record to prove the same and it is clearly mentioned in the statements of the crew of the vehicles. They categorically stated the staff of Transport Wing are collecting mamools for free passage of vehicles

without putting any obstacles. Therefore, it is proved Charged Officer in connivance collected the mamools and abused his official position which is unbecoming on the part of Govt. Servant. Hence the allegation on Charged Officer Sri Mekala Babu Rao is substantiated.

Thus the Government Servant by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3(1) (2) of APCS (Conduct) Rules, 1964 r/w Rule 9 of A.P Revised Pension Rules, 1980 for Departmental action.

Thus the Government Servant has therefore rendered himself liable for departmental action for major penalty for his misconduct.

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ANNEXURE-III

LIST OF WITNESSES IN SUPPORT OF CHARGES PROPOSED TO BE SUSTAINED

1) Sri Pujala Venkata Narayana Divakara Rao S/o P.Hanumantha Rao, Age 49 years, Deputy Executive Engineer, SSLC & SB, Sub Division No.2, Podalakuru, SPSR Nellore District.

He is the mediator; he speaks about the contents of the surprise check proceedings at the time of surprise check over the Transport Wing Check Post on 24-25/03-2015.

2) Sri Palla Srinivasulu S/o Lingaiah, Age 40 years, Typist, O/o SSLC & SB Circle Office, Dargamitta, Nellore, SPSR Nellore District.

He is the mediator; he speaks about the contents of the surprise check proceedings at the time of surprise check over the Transport Wing Check Post on 24-25/03-2015.

3) Sri Kambampati Sidulu S/o. Papaiah, Profession: Driver, Age: 38 years, Caste: Doodekula, Patti Chettu Street, Miryalaguda, Nalgonda District, Telangana State, Cell: 9966098778, Vehicle No: AP 16 TC 4195, Load: Tiles from Khammam to Chennai (Paid Rs.300/-)

He speaks about paying amounts as mamools as routine process to the officials of Transport Wing Check post for not looking into the violations committed in transportation of goods and materials.

4) Sri Sunkara Sambasiva Rao S/o. Brahmaiah, Profession: Cleaner, Age: 48 Years, Caste: Kapu, Ramavarappadu, Near Ankamma Temple, Vijayawada, Krishna District, Andhra Pradesh, Vehicle No. AH J 3339, Load: Cotton from Vijayawada to Chennai, (Paid Rs.500/-).

He speaks about paying amounts as mamools as routine process to the officials of Transport Wing Check Post for not looking into the violations committed in transportation of goods and materials.

5) Sri B Balaji S/o. Satyanarayana, Age: 43 Years, Caste: Yadava, Near RTC Bus Depot, Tuni, East Godavari District, A.P. Vehicle No. AP 16 TV 6149 Load: Chemical from Visakhapatnam to Chennai (Paid Rs.300/-).

He speaks about paying amounts as mamools as routine process to the officials of Transport Wing Check post for not looking into the violations committed in transportation of goods and materials.

6) Sri R.V.S.N. Murthy, DSP, ACB, Prakasam Range, i/c Nellore Range, Nellore.

7) Sri S.Venkateswara Rao, SI of Police, ACB, Ongole, Prakasam District.

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SPECIAL CHIEF SECRETARY TO GOVERNMENT

ANNEXURE-IV

LIST OF DOCUMENTS IN SUPPORT OF CHARGES PROPOSED TO BE SUSTAINED

1) Mediators report proceedings drafted over the Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District dated 24-03-2015.

2) Attendance Register of O/o A.O, ICP, B.V.Palem, Tada Mandal, SPSR Nellore district as on 24-03-2015.

3) Duty charts of the staff of Transport Wing Check Post, ICP, B.V.Palem, Tada Mandal, SPSR Nellore district.

4) Service particulars of Charged Officer Sri Mekala Babu Rao, furnished by the A.O., ICP, B.V.Palem, Tada Mandal, SPSR Nellore District.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT